

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 SALEENA HART ESGUERRA,

7 Defendant.

Case No.: 2:21-mj-00907-VCF

FINDINGS AND ORDER

8
9 Based on the pending Stipulation between the defense and the government, and good
10 cause appearing therefore, the Court hereby finds that:

11 1. The parties desire to continue the preliminary hearing to facilitate pre-
12 indictment resolution. Defendant Saleena Hart Esguerra has applied for admission into the
13 Interagency Agreement for the Recovery, Inspiration, Support & Excellence (RISE)
14 Program, and will need additional time prior to a preliminary hearing or indictment to
15 allow the RISE Program to evaluate her application. The Court finds good cause to
16 continue the hearing to allow the parties to reach a pre-indictment resolution.

17 2. Both counsel for defendant and counsel for the government agree to the
18 continuance.

19 3. Defendant Esguerra is not in custody and agrees to the continuance.

20 4. The continuance is not sought for the purposes of delay, but to allow defense
21 counsel an opportunity to examine the merits of this case before a potential resolution can
22 be reached between the parties.

1 5. Denial of this request could result in a miscarriage of justice, and the ends of
2 justice served by granting this request outweigh the best interest of the public and the
3 defendant in a speedy trial.

4 6. The additional time requested by this stipulation is excludable in computing
5 the time within which indictment must be filed pursuant to the Speedy Trial Act, 18 U.S.C.
6 § 3161(b), and considering the factors under 18 U.S.C. § 3161(h)(7)(A) and (B)(i) and (iv).

7 THEREFORE, IT IS HEREBY ORDERED that the preliminary hearing in the
8 above-captioned matter for defendant Saleena Hart Esguerra, previously scheduled for
9 February 23, 2021 at 4:00 p.m., be vacated and continued to May 24, 2022, at 4:00 p.m. in
10 LV Courtroom 3D before Magistrate Judge Cam Ferenbach.

11 DATED this 11th day of February, 2022.

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HONORABLE CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE